

REMARKS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 7, 10-12, and 14 have been amended. Claims 9 and 16-17 have been cancelled. Claims 2-8 and 10-14 are pending and under consideration. Support for the claims as amended can be found, for example, in the specification at page 24, line 23 through page 27, line 18.

I. Rejection under 35 U.S.C. § 103

In the Office Action, at pages 2-4, claims 2-8 and 10-14 were rejected under 35 USC § 103(a) as being unpatentable over Gordecki (U.S. Patent App. Pub. No. 2004/0166890) in view of Miyashita (U.S. Patent No. 6,731,912) and further in view of Andrews et al. (U.S. Patent No. 6,439,905).

Gordecki, Miyashita and Andrews et al., alone or in combination, do not discuss or suggest:

a free stop part that maintains the second housing at an angle different from the callable angle relative to the first housing when the second housing is unfolded relative to the first housing ...

a pair of cams and a spring that applies a compression force to the pair of cams, the cams being commonly used for the one touch opening part and the free stop part, both cams being engaged with each other and rotating together in unfolding the second housing by the one touch opening part, and one of the pair of cams being fixed relative to the other of the pair of cams due to the compression force when the free stop part operates,

as recited in amended independent claims 7, 12, and 14. In rejecting dependent claim 9 on page 4 of the Office Action, the Examiner indicated that the angle different from the callable angle is the closed position. However, independent claims 7, 12, and 14 have been amended to recite "an angle different from the callable angle relative to the first housing when the second housing is unfolded relative to the first housing." This feature is not taught by the combination of Gordecki, Miyashita and Andrews et al. Furthermore, independent claims 7, 12, and 14 have been amended to include a pair of cams that are commonly used for the one touch opening part and the free stop part, thereby providing for further miniaturization of the claimed mobile radio communication apparatus. These features are not taught by the combination of Gordecki, Miyashita and Andrews et al.

Since Gordecki, Miyashita and Andrews et al., alone or in combination, do not discuss or suggest all of the features recited in claims 7, 12, and 14, claims 7, 12, and 14 each patentably distinguishes over the cited references. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

Claims 2-6, 8, and 10-11 depend either directly or indirectly from claim 7, and include all the features of claim 7, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claims 2-6, 8, and 10-11 patentably distinguish over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of these § 103(a) rejections is respectfully requested.

Claim 13 depends directly from claim 12, and includes all the features of claim 12, plus additional features that are not discussed or suggested by the references relied upon. Therefore, claim 13 patentably distinguishes over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the § 103(a) rejection is respectfully requested.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

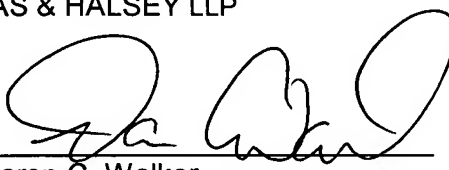
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 3-30-09

By: 
Aaron C. Walker
Registration No. 59,921

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501